

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL DOCKET NO. 5:03CR6-3-V

UNITED STATES OF AMERICA )  
                                  )  
                                  )  
                                  )  
vs.                           )                           **ORDER**  
                                  )  
BAXTER SMITH JAMES        )  
                                  )  
                                  )

**THIS MATTER** is before the Court on the Judgment of the Fourth Circuit Court of Appeals, filed September 6, 2007,<sup>1</sup> remanding this case for resentencing.

**IT IS, THEREFORE, ORDERED THAT:**

- 1) This matter is hereby scheduled for resentencing on **Tuesday, December 11, 2007, in the Statesville Division;**
- 2) The United States Marshal is directed to return Defendant to the Western District of North Carolina **on or before November 26, 2007**; and
- 3) A copy of this Order shall be sent to the Defendant, Defense Counsel, United States Attorney, United States Marshall Service, United States Probation Office and Courtroom Deputy.

Signed: September 10, 2007



Richard L. Voorhees  
United States District Judge



<sup>1</sup>The mandate issued September 6, 2007.